

Farrington R. Tumser, III
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September 28, 1995

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Mr. William Caton
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Dear Mr. Caton,

Please distribute to the responsible parties the enclosed original and eleven copies of comments concerning RM-8499, Docket 95-102, the NPRM for the "Family Radio Service."

Please indicate the filing date of these comments on the extra (12th) copy of the comments and return them to me in the enclosed, stamped envelope.

Very Truly Yours,



Farrington R. Tumser,
III

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Before the
Federal Communications Commission
Washington, DC 20544

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SEP 29 1995

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In the Matter of)
)
Amendments to Part 95 of the) WT Docket 95-102
Commission's Rules to Establish)
a Very Short Distance Two-Way)
Voice Radio Service)

Comments to Notice of Proposed Rulemaking NPRM 8499

Filed by: Farrington R. Tumser, III
19 Baskenridge Drive
Middletown, New Jersey 07748

Signature: 
Date: September 28, 1995

To: The Commission:

These comments argue that the FRS, as proposed, could suffer from the same ills that Citizen's Band has suffered from -- and soon be unsuitable for family listening.

However, a roll-out-a-few-channels-at-a-time alternative is proposed, plus a few suggestions to reduce user-to-user interference.

1. UNLICENSED OPERATORS - AN EXAMPLE FROM ANOTHER PART 95 SERVICE

The proposed Family Radio Service would be the first radio service to allow unlicensed operation on UHF frequencies. However, it would not be the first Part 95 service to allow unlicensed operation of two-way radio transmitters. The 27 MHz "CB" radio service is an

unlicensed service. *The behavior of the present CB radio operators would, therefore, be a fair representation of the sorts of operations which could be expected in the FRS.*

Though many CB radio users are polite individuals using out-of-the-box, legal, four-watt radios, attempting to politely communicate with friends and family members, there are all too many CB users who engage in unruly and rude behavior. *These rude users ridicule and heckle other users, use horribly profane language, and routinely ignore the 4-watt power limitation -- commonly running hundreds of watts -- brag about their "kilowatt foot warmers".* Many of these unruly users also operate on frequencies adjacent to the authorized CB channels, wantonly interfering with Land Mobile, Government, Aeronautical Mobile and Amateur stations.

These unruly individuals would be easily drawn to the FRS, and bring with them their contempt for other users and their foul language, rendering the FRS hardly the sort of radio service which any parent would want their children to listen to -- and make a joke out of the word "Family" in the name of the service.

If the CB users' same respect for the frequency allocation table 95.625(a) is repeated near the proposed FRS frequency allocation table 95.627(a), these unruly individuals would soon be transmitting on GMRS repeater frequencies and nearby Part 90 frequencies with easily obtained 40 to 100 watt radios. This could result in a deluge of complaints to the FCC. *Such chaotic behavior is deplorable and should not be attracted to any additional area of the radio spectrum from its present home at 27 MHz.*

For these reasons, the Commission is very strongly requested to either dismiss the Notice of Proposed Rulemaking for the FRS or to require a license for operation. Perhaps a simpler form and a lower fee than that required for GMRS would be in order.

The members of the Commission are encouraged to actually listen on the present unlicensed Part 95 frequencies (CB channels) to hear just what the FRS would become. Please do not encourage the mayhem and chaos of CB to invade the UHF frequencies.

2. A WORKABLE ALTERNATIVE

If the Commission does feel that, somehow, unlicensed 460 MHz users would be different from the unlicensed 27 MHz users, it is requested that the commission not authorize all 14 channels at once. Instead, *authorize every other channel at 462 MHz first* - for a initial set of three or four channels. Then, *review the behavior of the users after a one or two year period*. If the behavior is polite and the users are indeed the individuals and families Tandy envisions, then authorize the mating 467 MHz frequencies. If, after a few more years, the operation is still polite and family-oriented, authorize a few more frequencies. However, if any review indicates that the operation is not something that any family could use (or want their children to listen to) then end the granting of any more frequencies for the FRS without licensing and required automatic transmitter identification (ATIS).

3. REDUCTION OF CHANNEL CONGESTION

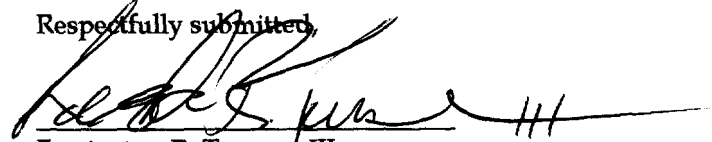
Please set as a criteria of type acceptance, that no FRS radio may transmit when the frequency is already in use. This is how the present Uniden GMR-100 radio operates.

Please also require that all advertising for FRS radios include a warning that the radio is for *family and personal use only -- and not for business use*. Businesses already have all of the "colored dot" radios to choose from.

To reduce channel congestion, please do not allow telephone interconnection. (Tandy suggested no interconnection in their July, 1994 Petition for Rulemaking.)

September 28, 1995

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Farrington R. Tumser, III', with a long horizontal flourish extending to the right.

Farrington R. Tumser, III
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